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10/673,458	09/30/2003	Michel Chevanne	Q77711	2008

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EXAMINER	
HUSSAIN, TAUQIR	

ART UNIT	PAPER NUMBER
2452	

NOTIFICATION DATE	DELIVERY MODE
12/09/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/673,458	CHEVANNE ET AL.	
	Examiner	Art Unit	
	TAUQIR HUSSAIN	2452	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 September 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6 and 9-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6 and 9-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This office action is in response to amendment /reconsideration filed on 09/04/2009, the amendment/reconsideration has been considered. Claims 12-17 have been newly added and therefore, claims 1-6 and 9-17 are pending for examination, the rejection cited as stated below.

Response to Arguments

2. Applicant's arguments filed on 09/04/2009 have been fully considered but they are not deemed to be persuasive. In the remarks, applicant argued in substance that

(a) Prior art "Machida and Allan" does not teach, "accessing and extracting from the memory the at least one of the sets of primary and secondary data of the elements of the equipment that belong only to a designated level when a request designating a chosen level of a network equipment without attachment is received".

As to point (A), Examiner respectfully disagree, as Prior art "Machida and Allan" does teaches the limitations, "accessing and extracting from the memory the at least one of the sets of primary and secondary data of the elements of the equipment that belong only to a designated level when a request designating a chosen level of a network equipment without attachment is received". Allan discloses, Fig.9a-c, [0021], where NMD 102 comprises a local database 118 coupled to a network management processor 110 that receives and stores the categorization information corresponding to the network entities within the network of interest. The categorization information

preferably consists of a direct containment hierarchy of network features for each of the attribute layers, and an identification of where in each containment hierarchy each network entity is located. Further, Allan discloses in [0045], In a preferred embodiment, the arrow 232 can be dragged or otherwise controlled with a us r input device, for example the mouse 116, such that it points to any level in the displayed direct containment hierarchy 214. When such is done, the second window 217 moves up with the arrow 232, and the list of contents 216 is updated to show the children of the network feature pointed to by the arrow 232 at a given time which is equivalent to "accessing and extracting from the memory the at least one of the sets of primary and secondary data of the elements of the equipment that belong only to a designated level when a request designating a chosen level of a network equipment without attachment is received". A sample use of the arrow 232 will be shown during the description of FIGURES 2 through 6 herein below. While an arrow 232 is shown as the mechanism for jumping up to a previously selected level in the direct containment hierarchy 214, it is to be understood that other mechanisms for achieving this may alternatively be employed. For example, by clicking within the direct containment hierarchy 214 with a mouse on the level of interest, by dragging the entire window 217, or any other suitable mechanism as further explained in [0047], For example within FIGURES 3A through 3C, logical views for the customer attribute layer are shown as the pictorial representation. In this case, a small circle within a larger circle is used, the smaller circle containing the parent of the list of contents 216 and the larger circle being divided into slices that represent each of the children within the list of contents 216. Applicant is arguing

network elements without explaining what these elements are? As for examining purposes network elements can be interpret e.g. communication links, geographical location, network services etc.

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1-6 and 9-17 are rejected under 35 U.S.C. 102(e) as being unpatentable over Machida et al. (Patent No.: US 6,885,387 B1), hereinafter "Machida" in view of Allan et al (EP 1094635 A2), hereinafter "Allan".

5. As to claim 1 and 9, Machida discloses the core concept of invention substantially including, system comprising a plurality of elements associated with hierarchical levels (Machida, Abstract, Fig.4, element-402a-g), wherein each element is associated with a set of primary data stored in a memory, said primary data representing the element in the level to which said element belongs without any specific attachment to any level higher than said element (Machida, Fig.4, 5, Col.4, lines 44-45, where pc's in same domain at same level are displayed) and at least one set of secondary data stored in said memory, said secondary data representing the element within the level to which said element belongs and the element's connection to a level higher than or equal to the level of said element in the hierarchy (Machida, Fig.4, 5, Col.5, lines 40-45, where element 503f which is a primary data has attached peripheral

503g and 503h which is equivalent to interpret as secondary data in the domain at lower level in the hierarchy); and

at least one of the sets of primary and secondary data of the elements of the equipment that belong to a designated level and to levels lower than said equipment (Machida, Fig.3B, element-S208, S210, S209 etc, Col.3, lines 62-67, where programs are stored in memory and further calculating display positions will require stored data, where designated PC, S208 is a primary data and Display peripheral Icon S209 is equivalent to secondary data), and for accessing and extracting from the memory the at least one of the sets of primary and secondary data of the elements of the equipment that belong only to a designated level (Machida, Fig.2, element-S201, Col.4, lines 4-11, where first scan of network equipment displayed on the basis of the connection information and status information).

Machida however is silent on disclosing explicitly, accessing and extracting from the memory at least one of the sets of primary and secondary data of the elements of the equipment that belongs to designated level and to levels lower than said equipment when a request designating a chosen level of a network equipment with attachment is received.

Allan however discloses the similar concept as, accessing and extracting from the memory at least one of the sets of primary and secondary data of the elements of the equipment that belongs to designated level and to levels lower than said equipment when a request designating a chosen level of a network equipment with attachment is received (Allan, [0009], where method is disclosed to highlight one or more of the

network entities within the subset of network entities of interest. Further displaying of the relevant network entities by illustrating a plurality of network entities within the geographical region selected for base view);

At least one of the sets of primary and secondary data of the elements of the equipment that belong only to a designated level when a request designating a chosen level of a network equipment without attachment is received (Allan, Fig.2A, [0026], where the use of the layer cake selection window 206 to navigate through the attribute layers, to select one or more network features, herein below referred to as focused network features, to be included within a layer cake. The layer cake thus identifies a group of network entities of interest, referred to herein below as a focused set of network entities and system and further in [0012] disclosed the invention in relevance to storing the hierarchy in memory to display at user interface for later use).

Therefore it would have been obvious to one of the ordinary skilled in the art at the time the invention made in order to provide a network monitoring architecture in compliance with various transport standards e.g. SONET, ATM etc. and give extended control to filter information such as local area network, subnet, subset or local or wide area network, device type, geographically selected network and so forth.

6. As to claim 2, Machida and Allan disclose the invention substantially as in parent claim 1 above including, wherein said management means are adapted to send the extracted sets of primary or secondary data to a graphical interface (Machida, Fig.2, element-S202, Col.4, lines 9-11, where data is displayed based on obtained display positions).

7. As to claim 3, Machida and Allan disclose the invention substantially as in parent claim 1 above including, wherein some elements are associated with sets of primary and secondary data that are at least partly identical (Machida, Fig.4, element-402, Col.4, lines 19-26, contains the menu for alike items upon execution equipment performing alike function can be viewed).

8. As to claim 4, Machida and Allan disclose the invention substantially as in parent claim 1 above including, wherein said management means are adapted to refresh the data of elements displayed in the event of receiving a message reporting that an event relating to said element has occurred within the network (Machida, Col.4, lines 35-43, where during processing error generation message is displayed).

9. As to claim 5, Machida and Allan disclose the invention substantially as in parent claim 1 above including, a management server of a communication network management system, wherein said server comprises a system according to claim 1 (Machida, Col.3, lines 33-37, where reading server apparatus is disclosed).

10. As to claim 6, Machida and Allan disclose the invention substantially as in parent claim 1 above including, a server according to claim 5, characterized in that said system in installed in a control system (Machida, Col.3, lines 38-43, where reading server apparatus is in place with scanner controller and communication controller devices which incorporates as a network control system together).

11. As to claims 10 and 11, Machida and Allan disclose the invention substantially as in parent claim 1 and 9 above including, wherein the primary and secondary data for all of the plurality of elements is stored in a centralized, long term storage device (Allan, [0012], where computer system is disclosed to include all the aspects of the network hierarchy related information into a memory which can be a long term memory).

12. As to claim 12 and 15, Machida and Allan disclose the invention substantially as in parent claim 1 and 9 above including, wherein said primary data of each of the plurality of elements is a primary graphical representation showing the element with which the primary data is associated within the hierarchical level to which the element belongs without showing any attachment of the element to a hierarchical level higher than the hierarchical level to which the element belongs (Allan, [0045], The first and second windows 215,217 are preferably displayed adjacent to each other, or with the second window 217 partially overlapping the first. The display of the second window 217 has an arrow 232 pointing to the network feature in the direct containment hierarchy 214 whose children are listed in the list of contents 216.); and

wherein said secondary data of each of the plurality of elements is a secondary graphical representation showing the element with which the secondary data is associated within the hierarchical level to which the element belongs and also showing a connection of the element to a hierarchical level higher or equal to the hierarchical level to which the element belongs (Allan, Fig.2-6, [0045], When such is done, the second window 217 moves up with the arrow 232, and the list of contents 216 is updated to show the children of the network feature pointed to by the arrow 232 at a

given time. A sample use of the arrow 232 will be shown during the description of FIGURES 2 through 6 herein below. While an arrow 232 is shown as the mechanism for jumping up to a previously selected level in the direct containment hierarchy 214, it is to be understood that other mechanisms for achieving this may alternatively be employed.).

13. As to claim 13 and 16, are merely an intended use of the limitations discussed in claims 12 and 15 above.

14. AS to claim 14 and 17, Machida and Allan disclose the invention substantially as in parent claim 13 and 16 above including, wherein said management means sends the extracted at least one of the sets of primary graphical and secondary graphical representations to a graphical interface (Allan, Fig.3c, elements 214 and 232 are primary and secondary graphical representations).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TAUQIR HUSSAIN whose telephone number is (571)270-1247. The examiner can normally be reached on 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thu Nguyen can be reached on 571 272 6967. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T. H./
Examiner, Art Unit 2452

/THU NGUYEN/
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